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7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**

9 UNITED STATES OF AMERICA,

10 Plaintiff,

11 vs.

12 JECORIAN MCCUTHEON,

13 Defendants.

Case No. 2:21-cr-00168-JAD-EJY

14 **MOTION FOR PRE-PLEA PRESENTENCE REPORT**

15 COMES NOW, defendant JECORIAN MCCUTHEON, by and through his attorney of
16 record, DAVID T. BROWN, ESQ., hereby submits and files this motion asking the court to
17 direct the Probation Department to prepare a Pre-Plea Presentence Report.

18 This Motion is made and based upon 18 U.S.C. § 3161, the attached memorandum of
19 points and authorities, the supporting declaration, the pleadings and papers on file herein, and
20 argument to be entertained by the Court.

21 Dated this 26th day of June, 2023.

22 /s/ David Brown

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24 DAVID T. BROWN, ESQ.
Counsel for Defendant
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MEMORANDUM OF POINTS AND AUTHORITIES

POINTS AND AUTHORITIES

Defendant Jecorian McCutheon has an outstanding plea offer that was made to him. However, he is unsure of his actual criminal history category due to the fact that he has criminal history contacts outside the local jurisdiction. As such, the undersigned is uncomfortable advising him as to what his criminal history is as we are unaware of what convictions there are, whether he was represented by counsel, and all other salient information needed to properly calculate his criminal history category. As such a Pre-Plea Presentence Report would be best to help to ascertain these facts.

Counsel has spoken with the Assistant United States Attorney assigned to this case, Joshua Brister, Esq., and he does not object to this request.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 26th day of June, 2023 I filed a true and correct copy of the Defendant's Motion via the ECF Filing system for the Southern District of Nevada to all registered parties.

/s/ Alexis Budner

Employee of Brown, Brown & Premsritut

IT IS SO ORDERED.


UNITED STATES MAGISTRATE JUDGE

DATED: June 27, 2023.